

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**DANCO LLC DBA NEWKS EXPRESS CAFÉ
AND INDY EATERY LLC DBA NEWKS CAFÉ**

PLAINTIFFS

v.

No. 3:20cv235-MPM-JMV

**STATE AUTO PROPERTY AND
CASUALTY INSURANCE COMPANY**

DEFENDANTS

ORDER

This matter is before the court following a telephonic conference concerning the status of this matter following the Fifth Circuit opinion in *Terry Black's Barbecue v. State Automobile Mutual Insurance Co.* (5th Cir. 2022). Consistent with the discussion thereat, the court orders the following: the parties will refile their original dispositive motions previously dismissed as moot with right to refile, with supplementation of the briefs in support of the motions by up to ten (10) additional pages each discussing any relevant intervening case law since the motions were dismissed. Responses to the motions are due on April 28, 2022 and replies are due May 5, 2022. Given the following, the case is stayed pending the resolution of the aforementioned motions.

SO ORDERED, this the 21st day of March, 2022.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE